

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, MARCH 31, 2004

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JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 31, 2004

The House met pursuant to adjournment at 8:44 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Earl Menning retired pastor of the Church of Christ, Des Moines. He was the guest of Representatives Ed Fallon from Polk County and Rod Roberts from Carroll County. He is the grandfather of the Speaker's Page, Kirk Bates.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 30, 2004 was approved.

PETITION FILED

The following petition was received and placed on file:

By Swaim of Davis, from two hundred forty-one constituents favoring action that the State of Iowa repave and properly shoulder State Highway 202 no later than October 1, 2004.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 30, 2004, amended and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2298](#), a bill for an act making, reducing, and transferring appropriations, providing for other properly related matters, and including effective and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

[Senate Joint Resolution 2010](#), by committee on ways and means, a joint resolution proposing an amendment to the

Constitution of the State of Iowa to require approval by vote of the people before certain tax or fee increases take effect.

Read first time and referred to committee on **ways and means**.

[Senate File 2298](#), by committee on appropriations, a bill for an act making, reducing, and transferring appropriations, providing for other properly related matters, and including effective and applicability date provisions.

Read first time and referred to committee on **appropriations**.

SPECIAL PRESENTATION

Bell of Jasper introduced to the House several dignitaries representing trade with Taiwan, including Thomas T.S. Cheng, Director General; Han-Ching Liu, Deputy Director, Taipei Economic and Cultural Office, Chicago; Kuei-Jung Huang, Director, Commercial Division, TECO, Chicago; and Cindi Chen, President of the Asian American Council. Director General Cheng addressed the House briefly thanking the House for the honor and spoke of democracy in Taiwan and invited the body to come and visit. Jenkins of Black Hawk presented the visitors with gifts from the Iowa House.

The House rose and expressed its welcome.

ADOPTION OF [HOUSE RESOLUTION 132](#)

Paulsen of Linn called up for consideration [House Resolution 132](#), a resolution honoring the town of Palo and its surrounding community on the town's sesquicentennial year, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE RESOLUTION 148](#)

Paulsen of Linn called up for consideration [House Resolution 148](#), a resolution honoring the town of Center Point and its surrounding community on the town's sesquicentennial year, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATIONS

Van Engelenhoven of Mahaska presented to the House, Jenni Van Wyk, Queen of the 2004 Pella Tulip Festival and escorted her and her court to the Speaker's station.

Queen Van Wyk introduced her attendants, Alexis Baugh, Meagan McCombs, Lindsay Graham and Katie Ozinga. The Queen and her court introduced their parents, who wore native Dutch costumes and distributed the famous Pella Dutch cookies.

The Queen addressed the House briefly and invited everyone to attend the Pella Tulip Festival May 6, 7 and 8, 2004.

Gaskill of Wapello introduced to the House the Honorable Jim Schwartz former state representative from Wapello County.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 9:19 a.m., until the completion of the meeting with the committee on judiciary.

The House resumed session at 10:36 a.m., Speaker pro tempore Carroll in the chair.

On motion by Speaker pro tempore Carroll, the House was recessed at 10:37 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:07 p.m., Roberts of Carroll in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 31, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2187](#), a bill for an act providing for the elimination of an examination requirement as a prerequisite for being designated a registered dental assistant.

Also: that the Senate has on March 31, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2516](#), a bill for an act relating to the performance of a notarial act by a chief officer when certifying a uniform citation and complaint under oath, and providing an effective date.

Also: that the Senate has on March 31, 2004, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2173](#), a bill for an act concerning private sector employee drug testing relating to authorized testing substances, confirmed positive test results, and testing procedures, and providing an effective date.

Also: that the Senate has on March 31, 2004, passed the following bill in which the concurrence of the House is asked:

[Senate File 2194](#), a bill for an act providing for the appropriation of moneys to support the testing and monitoring of avian influenza.

Also: that the Senate has on March 31, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2208](#), a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Also: that the Senate has on March 31, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2289](#), a bill for an act relating to various duties of the county treasurer and to certain fees collected by the county treasurer.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 1:07 p.m., until the fall of the gavel.

The House resumed session at 2:58 p.m., Roberts of Carroll in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 31, 2004, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 2523](#), a bill for an act providing for the regulation of air quality, and making penalties applicable.

Also: That the Senate has on March 31, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2296](#), a bill for an act relating to the policy administration of the tax and related laws by the department of revenue, including administration of and substantive changes to the state individual income, corporate income, sales, use,

property, inheritance, motor fuel, special fuel, cigarette, and tobacco taxes and including penalties.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 2563](#), by committee on ways and means, a bill for an act providing income, franchise, and insurance premiums tax credits for equity investments in businesses that are primarily engaged in the business of the production of value-added agricultural products and including a retroactive applicability date provision.

Read first time and placed on the **ways and means calendar**.

[House File 2564](#), by committee on ways and means, a bill for an act relating to the standards applicable for purposes of imposing an Iowa business activity tax and including an applicability date provision.

Read first time and placed on the **ways and means calendar**.

[House File 2565](#), by committee on ways and means, a bill for an act relating to the policy administration of the tax and related laws by the department of revenue, including administration of and substantive changes to the state individual income, corporate income, sales, use, property, inheritance, motor fuel, special fuel, cigarette, and tobacco taxes and including penalties.

Read first time and placed on the **ways and means calendar**.

SENATE MESSAGES CONSIDERED

[Senate File 2194](#), by committee on agriculture, a bill for an act providing for the appropriation of moneys to support the testing and monitoring of avian influenza.

Read first time and referred to committee on **appropriations**.

[Senate File 2289](#), by committee on ways and means, a bill for an act relating to various duties of the county treasurer and to certain fees collected by the county treasurer.

Read first time and referred to committee on **ways and means**.

Gipp of Winneshiek asked and received unanimous consent to consider [Senate File 2246](#).

CONSIDERATION OF BILLS
Regular Calendar

[Senate File 2282](#), a bill for an act requiring a study of the archaeological and paleontological significance of the loess hills and of the feasibility of creating a state native prairie preserve in the loess hills, and providing a contingent effective date, with report of committee recommending passage, was taken up for consideration.

Boggess of Page offered the following amendment [H-8348](#) filed by her and moved its adoption:

[H-8348](#)

- 1 Amend [Senate File 2282](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, lines 1 and 2, by striking the words
- 4 "natural resource commission" and inserting the
- 5 following: "loess hills development and conservation
- 6 authority".
- 7 2. Page 1, line 3, by inserting after the word
- 8 "a" the following: "comprehensive".
- 9 3. Page 1, line 4, by inserting after the word
- 10 "significance" the following: "and the significance
- 11 of the flora and fauna".
- 12 4. Page 1, by striking lines 5 through 7, and
- 13 inserting the following: "hills and to determine the
- 14 feasibility of various uses of the loess hills. The
- 15 loess hills development and conservation authority may
- 16 accept gifts,".
- 17 5. Page 1, line 10, by striking the words
- 18 "natural resource commission" and inserting the
- 19 following: "loess hills development and conservation
- 20 authority".
- 21 6. Page 1, line 13, by striking the figure "2005"
- 22 and inserting the following: "2006".
- 23 7. Page 1, line 16, by striking the words
- 24 "natural resource commission" and inserting the
- 25 following: "loess hills development and conservation
- 26 authority".
- 27 8. Title page, line 1, by inserting after the
- 28 word "a" the following: "comprehensive".
- 29 9. Title page, line 2, by inserting after the
- 30 word "significance" the following: "and the
- 31 significance of the flora and fauna".
- 32 10. Title page, line 3, by striking the words

33 "creating a state native prairie preserve in" and
 34 inserting the following: "various uses of".

Amendment [H-8348](#) was adopted.

Boggess of Page moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2282](#))

The ayes were, 99:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.R.	Watts
Wendt	Whitaker	Whitehead	Wilderdyke
Winckler	Wise	Roberts,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Van Fossen, J.K.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

[Senate File 2246](#), a bill for an act requiring the board of directors of a school district to adopt a student promotion policy to support

student reading at grade level, providing for related matters, and providing an effective date and for the Act's applicability, with report of committee recommending amendment and passage, was taken up for consideration.

Raecker of Polk offered the following amendment [H-8325](#) filed by the committee on education and moved its adoption:

[H-8325](#)

1 Amend [Senate File 2246](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. Section 256D.1, subsection 1,
6 paragraph b, unnumbered paragraph 1, Code 2003, is
7 amended to read as follows:
8 The department of education shall identify
9 diagnostic assessment tools that can be used to assist
10 teachers in measuring reading accuracy and fluency
11 skills, including but not limited to phonemic
12 awareness, ~~phonics skills~~, oral reading ability, ~~and~~
13 comprehension skills, and vocabulary development to
14 improve student achievement in kindergarten through
15 grade three. The department, in collaboration with
16 the area education agencies, school districts, and
17 institutions with approved practitioner preparation
18 programs, shall identify and serve as a clearinghouse
19 on intensive, research-based strategies and programs
20 for training teachers in both diagnosis and
21 appropriate instruction interventions.
22 Sec. 2. Section 256D.1, subsection 1, paragraph b,
23 subparagraph (1), Code 2003, is amended to read as
24 follows:
25 (1) A school district shall at a minimum
26 biannually inform parents of their individual child's
27 performance on the diagnostic assessments in
28 kindergarten through grade three. If intervention is
29 appropriate, the school district shall inform the
30 parents of the actions the school district intends to
31 take to improve the child's reading skills and provide
32 the parents with strategies to enable the parents to
33 improve their child's skills. If intervention is not
34 warranted, the school district shall inform the
35 parents of options available to the parents for
36 enrichment activities for the child. The board of
37 directors of each school district shall adopt a policy
38 indicating the methods the school district will use to
39 inform parents of their individual child's
40 performance.
41 Sec. 3. Section 256D.2, Code 2003, is amended to

42 read as follows:

43 256D.2 PROGRAM EXPENDITURES.

44 A school district shall expend funds received
45 pursuant to section 256D.4 at the kindergarten through
46 grade three levels to reduce class sizes to the state
47 goal of seventeen students for every one teacher and
48 to achieve a higher level of student success in the
49 basic skills, especially reading. In order to support
50 these efforts, school districts may expend funds

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1 received pursuant to section 256D.4 at the
2 kindergarten through grade three level on programs,
3 instructional support, and materials that include, but
4 are not limited to, the following: additional
5 licensed instructional staff; additional support for
6 students, such as before and after school programs,
7 tutoring, and intensive summer programs; the
8 acquisition and administration of diagnostic reading
9 assessments; the implementation of research-based
10 instructional intervention programs for students
11 needing additional support; the implementation of all-
12 day, everyday kindergarten programs; and the provision
13 of classroom teachers with intensive training programs
14 to improve reading instruction and professional
15 development in best practices, including but not
16 limited to training programs related to instruction to
17 increase students' phonemic awareness, phonics skills,
18 oral reading abilities, and comprehension skills, and
19 vocabulary development.

20 Sec. 4. Section 256D.3, subsection 3, Code 2003,
21 is amended to read as follows:

22 3. Beginning January 15, ~~2001~~ 2005, the department
23 shall submit an annual report to the chairpersons and
24 ranking members of the senate and house education
25 committees that includes the statewide average school
26 district class size in basic skills instruction in
27 kindergarten through grade three, by grade level and
28 by district size, and describes school district
29 progress toward achieving early intervention block
30 grant program goals and the ways in which school
31 districts are using moneys received pursuant to
32 ~~section 256D.4 this chapter and expended as provided~~
33 in section 256D.2.

34 Sec. 5. Section 256D.9, Code Supplement 2003, is
35 amended to read as follows:

36 256D.9 FUTURE REPEAL.

37 This chapter is repealed effective July 1, ~~2004~~
38 2005.

39 Sec. 6. EFFECTIVE DATE. The section of this Act
40 amending section 256D.9, being deemed of immediate

41 importance, takes effect upon enactment."
 42 2. Title page, by striking lines 1 through 4 and
 43 inserting the following: "An Act relating to the Iowa
 44 early intervention block grant program and providing
 45 an effective date."

The committee amendment [H-8325](#) was adopted.

Raecker of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2246](#))

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wildurdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

[Senate File 2234](#), a bill for an act relating to child custody and visitation provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Boddicker of Cedar offered the following amendment **[H-8320](#)** filed by the committee on judiciary and moved its adoption:

[H-8320](#)

1 Amend **[Senate File 2234](#)**, as passed by the Senate, as
2 follows:

3 1. Page 1, line 1, by striking the word
4 "UNIFORM".

5 2. Page 1, by striking lines 3 through 6, and
6 inserting the following:

7 "In order to encourage compliance with a visitation
8 order, a temporary order for custody shall provide for
9 a minimum visitation schedule with the noncustodial
10 parent, unless the court determines that such
11 visitation is not in the best interest of the child."

12 3. Page 1, by striking lines 7 through 15, and
13 inserting the following:

14 "Sec. 2. Section 600B.40, unnumbered paragraph 1,
15 Code 2003, is amended to read as follows:

16 The mother of a child born out of wedlock whose
17 paternity has not been acknowledged and who has not
18 been adopted has sole custody of the child unless the
19 court orders otherwise. If a judgment of paternity is
20 entered, the father may petition for rights of
21 visitation or custody in the same paternity action or
22 in an equity proceeding separate from any action to
23 establish paternity."

The committee amendment **[H-8320](#)** was adopted.

Boddicker of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (**[S.F. 2234](#)**)

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill

Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2234, 2246 and 2282.**

Senate File 2224, a bill for an act relating to grain regulation, with report of committee recommending passage, was taken up for consideration.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (**S.F. 2224**)

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake

Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[Senate File 2179](#), a bill for an act relating to ethics laws and the Iowa ethics and campaign disclosure board, with report of committee recommending passage, was taken up for consideration.

Raecker of Polk offered the following amendment [H-8336](#) filed by him and moved its adoption:

[H-8336](#)

- 1 Amend [Senate File 2179](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, by inserting before line 1 the
- 4 following:
- 5 "Sec. ____ Section 68B.35A, Code 2003, is amended
- 6 to read as follows:
- 7 68B.35A PERSONAL FINANCIAL DISCLOSURE STATEMENTS
- 8 OF STATE OFFICIALS AND EMPLOYEES - ~~PUBLIC INTERNET~~
- 9 ACCESS.
- 10 Personal financial disclosure statements filed with
- 11 ~~the board and the chief clerk of the house, or the~~
- 12 ~~secretary of the senate, or other appropriate person~~
- 13 ~~or body~~ shall be forwarded to the secretary of state
- 14 for the recording of the information ~~through~~

15 ~~electronic means on an internet website. The board~~
 16 ~~and the general assembly shall execute agreements with~~
 17 ~~the secretary of state which provide for public access~~
 18 ~~to and copying of the information, and include a site~~
 19 ~~in the board offices for public viewing and copying of~~
 20 ~~information, contained in personal financial~~
 21 ~~disclosure statements filed with the board and the~~
 22 ~~chief clerk of the house, secretary of the senate, or~~
 23 ~~other appropriate person or body. The board shall~~
 24 record personal financial disclosure statements filed
 25 with the board on an internet website."
 26 2. Page 5, by striking line 21 and inserting the
 27 following:
 28 "Sec. ___. Section 68B.34, Code 2003, is".
 29 3. By renumbering as necessary.

Amendment [H-8336](#) was adopted.

Raecker of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2179](#))

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Unfinished Business Calendar

[House File 2550](#), a bill for an act relating to assessments imposed on cattle for purposes of promotion, education, and research, and providing an effective date, was taken up for consideration.

[SENATE FILE 2217](#) SUBSTITUTED FOR [HOUSE FILE 2550](#)

S. Olson of Clinton asked and received unanimous consent to substitute [Senate File 2217](#) for [House File 2550](#).

[SENATE FILE 2217](#) PASSED ON FILE

The Speaker announced that [Senate File 2217](#), previously referred to the committee on **ways and means** was **passed on file**.

[Senate File 2217](#), a bill for an act relating to assessments imposed on cattle for purposes of promotion, education, and research, and providing an effective date, was taken up for consideration.

S. Olson of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2217](#))

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach

Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wildurdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2550 WITHDRAWN

S. Olson of Clinton asked and received unanimous consent to withdraw House File 2550 from further consideration by the House.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2179, 2217 and 2224.**

Jacobs of Polk asked and received unanimous consent for the immediate consideration of House File 2541.

Unfinished Business Calendar

House File 2541, a bill for an act relating to utility replacement taxes by redefining major additions for purposes of allocating replacement taxes to taxing districts, requiring certain taxpayers to report estimated replacement taxes, and changing or establishing certain reporting dates and including effective and retroactive applicability date provisions, was taken up for consideration.

Paulsen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2541)

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that the following bill be immediately messaged to the Senate: [House File 2541](#).

SENATE AMENDMENT CONSIDERED

Schickel of Cerro Gordo called up for consideration [House File 2340](#), a bill for an act relating to the temporary absence of an elected city official on active military duty and the appointment of a temporary replacement and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8260](#):

[H-8260](#)

- 1 Amend [House File 2340](#), as passed by the House, as
 2 follows:
 3 1. Page 1, line 14, by inserting after the word
 4 "body" the following: "of a political subdivision".
 5 2. Title page, line 1, by striking the word
 6 "city" and inserting the following: "local
 7 government".

The motion prevailed and the House concurred in the Senate amendment [H-8260](#).

Schickel of Cerro Gordo moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2340](#))

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENT CONSIDERED

Elgin of Linn called up for consideration [House File 2497](#), a bill for an act providing for a sick leave and vacation incentive program for state employees and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8338](#):

[H-8338](#)

- 1 Amend [House File 2497](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, line 2, by striking the word and
- 4 figure "May 1" and inserting the following: "May 21".
- 5 2. Page 2, line 16, by striking the word and
- 6 figures "July 2, 2004" and inserting the following:
- 7 "the date the eligible employee separates from
- 8 employment as provided in this section".
- 9 3. Page 2, lines 17 and 18, by striking the words
- 10 and figures "by July 2, 2004" and inserting the
- 11 following: "on or after July 2, 2004, but no later
- 12 than August 12, 2004".
- 13 4. Page 2, line 20, by striking the words and
- 14 figures "by July 2, 2004" and inserting the following:
- 15 "on or after July 2, 2004, but no later than August
- 16 12, 2004".
- 17 5. Page 3, by inserting after line 25 the
- 18 following:
- 19 "5. The legislative council shall provide an
- 20 incentive program for employees of the legislative
- 21 branch consistent with the program provided in this
- 22 section for executive branch employees. The
- 23 legislative council shall collaborate with the
- 24 department of administrative services to establish the
- 25 program as required under this subsection as nearly
- 26 identical as possible to the program provided
- 27 executive branch employees under this section. The
- 28 program provided pursuant to this subsection shall
- 29 establish the same guidelines used to establish an
- 30 eligible employee and benefit calculations as provided
- 31 under the program for executive branch employees."
- 32 6. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8338](#).

Elgin of Linn moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2497](#))

The ayes were, 99:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Klemme
Kramer	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Manternach	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Sands	Schickel
Shomshor	Shoultz	Smith	Stevens
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Roberts, Presiding	

The nays were, 1.

Eichhorn

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENT CONSIDERED

Chambers of O'Brien called up for consideration [House File 2399](#), a bill for an act allowing a modified criminal penalty for certain thefts within a seventy-two-hour time period, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8242](#):

[H-8242](#)

- 1 Amend [House File 2399](#), as passed by the House, as
 2 follows:
 3 1. Page 1, line 7, by striking the words
 4 "~~seventy-two-hour time~~" and inserting the following:
 5 "~~thirty-day~~".
 6 2. Title page, by striking line 2 and inserting
 7 the following: "from different locations within a
 8 thirty-day period."

The motion prevailed and the House concurred in the Senate amendment [H-8242](#).

Chambers of O'Brien moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2399](#))

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wildurdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENT CONSIDERED

Baudler of Adair called up for consideration [House File 2476](#), a bill for an act regulating transmissible viruses afflicting poultry and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8347](#):

[H-8347](#)

- 1 Amend [House File 2476](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 19 the
- 4 following:
- 5 "____. "Law enforcement officer" means an Iowa
- 6 state patrol officer or a regularly employed member of
- 7 a police force of a city or county, including but not
- 8 limited to a sheriff's office, who is responsible for
- 9 the prevention and detection of a crime and the
- 10 enforcement of the criminal laws of this state."
- 11 2. Page 2, line 4, by inserting after the figure
- 12 "1." the following: "a."
- 13 3. Page 2, by inserting after line 12, the
- 14 following:
- 15 "b. The department shall retain moneys from civil
- 16 penalties that it collects under this chapter. The
- 17 moneys are appropriated to the department for the
- 18 administration and enforcement of this chapter.
- 19 Notwithstanding section 8.33, such moneys shall not
- 20 revert, but shall be retained by the department for
- 21 the purposes described in this paragraph. The
- 22 department shall submit a report to the chairpersons
- 23 of the joint appropriations subcommittee on
- 24 agriculture and natural resources by January 5 of each
- 25 year. The report shall state, at a minimum, the total
- 26 amount of moneys collected during the past calendar
- 27 year and describe how these moneys were expended."
- 28 4. Page 3, line 14, by striking the words "An
- 29 establishment" and inserting the following: "A
- 30 concentration point".
- 31 5. Page 3, line 15, by striking the word
- 32 "establishment" and inserting the following:
- 33 "concentration point".
- 34 6. Page 3, line 18, by striking the words "An
- 35 establishment" and inserting the following: "A
- 36 concentration point".
- 37 7. Page 4, line 14, by inserting before the word
- 38 "concentration" the following: "restricted".

39 8. Page 5, by inserting after line 2 the
40 following:
41 " _____. This subsection applies to poultry
42 maintained at a restricted concentration point, or
43 poultry transported to or from a restricted
44 concentration point.
45 a. The department or a law enforcement officer may
46 confiscate poultry before a contested case proceeding
47 or judicial hearing is conducted to determine whether
48 this section has been violated. If the department or
49 a court determines that a violation of this section
50 has occurred, the poultry are conclusively deemed to

Page 2

1 be infected with a pathogenic virus. The poultry
2 shall be kept separate and apart until destroyed by
3 euthanasia as defined in section 162.2.
4 b. The department shall provide that real or
5 personal property that is exposed to the poultry shall
6 be sanitized as required to eliminate the source of
7 the pathogenic virus. As part of the sanitation, the
8 department shall provide for the disposal of poultry
9 carcasses, eggs, or manure. Upon inspection, the
10 department shall certify that the sanitization has
11 been performed as required by this paragraph.
12 c. The department may utilize the procedures
13 provided in section 17A.18A in order to enforce the
14 provisions of this section. The attorney general or
15 county attorney may petition the district court for an
16 expedited hearing.
17 d. The department shall be reimbursed by the owner
18 of the poultry or property for costs required to carry
19 out this subsection. However, if the enforcement
20 action is brought due to the activity of a law
21 enforcement officer of a political subdivision, the
22 political subdivision shall be reimbursed by the owner
23 of the poultry or property for those costs. The
24 department or political subdivision shall certify the
25 amount to the county auditor of any county in which
26 the owner is a titleholder of real property. The
27 amount shall be placed upon the tax books which shall
28 be a lien upon the real property, and collected with
29 interest and penalties after due, in the same manner
30 as other unpaid property taxes."
31 9. Title page, line 1, by inserting after the
32 word "poultry" the following: ", making an
33 appropriation,".
34 10. By renumbering, relettering, or redesignating
35 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8347](#).

Baudler of Adair moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2476](#))

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

SENATE AMENDMENT CONSIDERED

J.R. Van Fossen of Scott called up for consideration [House File 2150](#), a bill for an act establishing a child endangerment offense for

permitting the presence of a child or minor at a location where a controlled substance manufacturing or product possession violation occurs and providing a penalty, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8245](#):

[H-8245](#)

1 Amend [House File 2150](#), as passed by the House, as
2 follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 124.401C, subsection 1, Code
6 2003, is amended to read as follows:

7 1. In addition to any other penalties provided in
8 this chapter, a person who is eighteen years of age or
9 older and who either directly or by extraction from
10 natural substances, or independently by means of
11 chemical processes, or both, unlawfully manufactures
12 methamphetamine, its salts, isomers, and salts of its
13 isomers in the presence of a minor shall be sentenced
14 up to an additional term of confinement of five years.
15 However, the additional term of confinement shall not
16 be imposed on a person who has been convicted and
17 sentenced for a child endangerment offense under
18 section 726.6, subsection 1, paragraph "g", arising
19 from the same facts."

20 2. Page 1, line 9, by striking the words "a
21 controlled substance" and inserting the following:
22 "amphetamine, its salts, isomers, or salts of isomers,
23 or methamphetamine, its salts, isomers, or salts of
24 isomers".

25 3. By renumbering, relettering, or redesignating
26 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8245](#).

J.R. Van Fossen of Scott moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2150](#))

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef

Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2150, 2340, 2399, 2476 and 2497.**

Regular Calendar

[Senate File 2044](#), a bill for an act concerning eligibility requirements for payment of a volunteer emergency services provider death benefit resulting from a heart attack or stroke, with report of committee recommending passage, was taken up for consideration.

Lalk of Fayette offered the following amendment [H-8341](#) filed by Lalk, et al., and moved its adoption:

[H-8341](#)

1 Amend [Senate File 2044](#), as amended, passed, and

- 2 reprinted by the Senate, as follows:
 3 1. Page 1, by inserting after line 28 the
 4 following:
 5 "Sec. ___. EFFECTIVE DATE – RETROACTIVE
 6 APPLICABILITY. This Act, being deemed of immediate
 7 importance, takes effect upon enactment and is
 8 retroactively applicable to July 1, 2003, and is
 9 applicable on and after that date."
 10 2. Title page, line 3, by inserting after the
 11 word "stroke" the following: "and providing an
 12 effective date and retroactive applicability
 13 provision".
 14 3. By renumbering as necessary.

Amendment [H-8341](#) lost.

Greiner of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2044](#))

The ayes were, 100:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Greiner
Hahn	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Klemme	Kramer	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Manternach	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE MESSAGE CONSIDERED

[Senate File 2296](#), by committee on ways and means, a bill for an act relating to the policy administration of the tax and related laws by the department of revenue, including administration of and substantive changes to the state individual income, corporate income, sales, use, property, inheritance, motor fuel, special fuel, cigarette, and tobacco taxes and including penalties.

Read first time and referred to committee on **ways and means**.

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [Senate File 2044](#) be immediately messaged to the Senate.

The House stood at ease at 4:43 p.m., until the fall of the gavel.

The House resumed session at 5:24 p.m., Klemme of Plymouth in the chair.

REPORT OF THE CHIEF CLERK OF THE HOUSE

MR. SPEAKER: Pursuant to House Rule 42, I report that in enrolling bills the following correction was made:

[House File 2490](#)

1. Page 3, Line 8 – Change “Section” to “Sections”.

MARGARET A. THOMSON
Chief Clerk of the House

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval

on this 31st day of March, 2004: House Files 2042, 2241, 2381, 2431, 2464, 2479 and 2506.

MARGARET A. THOMSON
Chief Clerk of the House

Report adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON
Chief Clerk of the House

- 2004\1058 Berdell and Frances Aldrich, Garwin – For celebrating their 60th wedding anniversary.
- 2004\1059 Harold Howell, Rhodes – For celebrating his 81st birthday.
- 2004\1060 John Tigges, Melbourne – For celebrating his 86th birthday.
- 2004\1061 Alton Johnson, Clear Lake – For celebrating his 90th birthday.
- 2004\1062 Esther Wilson, Clear Lake – For celebrating her 90th birthday.
- 2004\1063 Mr. and Mrs. James Whitney, Sheffield – For celebrating their 60th wedding anniversary.
- 2004\1064 Bryan Leppert, Dallas Center-Grimes High School – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2004\1065 Matthew Hauge, Dallas Center-Grimes High School – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2004\1066 Donald Gehrls, Waukee High School – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2004\1067 Louise Seehase, Sumner – For celebrating her 102nd birthday.
- 2004\1068 Paul Yungtum, Sumner – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2004\1069 Clarence Buchholz, Tripoli – For celebrating his 90th birthday.
- 2004\1070 Ted Necker, Sumner – For celebrating his 86th birthday.
- 2004\1071 Matthew Even, Gilbertville – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2004\1072 Carl E. Schneider, Fairbank – For celebrating his 80th birthday.

- 2004\1073 Doran and Joyce Pence, Bloomfield – For celebrating their 50th wedding anniversary.
- 2004\1074 Gautam Reddy, Pleasant Valley Community High School – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2004\1075 Erin Walls, Bettendorf High School – For receiving the Presidential Scholarship Award From the University of Iowa.
- 2004\1076 Cory Kleinhessel, Wilton Jr.-Sr. High School – For receiving the Presidential Scholarship Award from the University of Iowa.
- 2004\1077 Vada Van Renterghem, Brooklyn – For celebrating her 90th birthday.
- 2004\1078 Vern and Joanne Glotfelty, Victor – For celebrating their 50th wedding anniversary.
- 2004\1079 Andrea Roberts, Williamsburg – For being crowned 2004 Iowa Junior Miss.

SUBCOMMITTEE ASSIGNMENT

[Senate Joint Resolution 2010](#)

Ways and Means: Paulsen, Chair; Carroll, Kramer, Shomshor and Shultz.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 728](#) Ways and Means

Relating to assessment of certain apartments located in a horizontal property regime and providing an applicability date.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

[Senate File 449](#), a bill for an act providing a wind energy production tax credit under the individual and corporate income taxes, the franchise tax, and insurance premiums tax and including an applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment** [H-8352](#) March 30, 2004.

Committee Bill (Formerly [House File 2382](#)), providing income tax credits for equity investments in businesses that are primarily engaged in the business of the production of value-added agricultural products and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 30, 2004.

Committee Bill (Formerly [House Study Bill 716](#)), relating to the standards applicable for purposes of imposing an Iowa business activity tax and including an applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 30, 2004.

Committee Bill (Formerly [House Study Bill 723](#)), relating to the policy administration of the tax and related laws by the department of revenue, including administration of and substantive changes to the state individual income, corporate income, sales, use, property, inheritance, motor fuel, special fuel, cigarette, and tobacco taxes and including penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 30, 2004.

RESOLUTION FILED

HR 154, by Drake, a resolution honoring the city of Griswold on its quasiquicentennial anniversary year and celebrating its 122nd Annual Soldiers Reunion.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8350	H.F. 2548	Alons of Sioux
H-8351	H.F. 2455	Hunter of Polk
H-8352	S.F. 449	Committee on Ways and Means
H-8353	S.F. 2279	Gaskill of Wapello
		Mascher of Johnson
H-8354	H.F. 2523	Senate Amendment
H-8355	H.F. 2186	Whitaker of Van Buren
		Lukan of Dubuque
H-8356	H.F. 2547	Raecker of Polk
		Huser of Polk
H-8357	S.F. 2270	Tjepkes of Webster
H-8358	S.F. 2269	Fallon of Polk

On motion by Gipp of Winneshiek the House adjourned at 5:24 p.m., until 8:45 a.m., Thursday, April 1, 2004.